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# VAGRANCY LAWS

AND

## VAGRANTS.

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### A LECTURE,

DELIVERED TO THE MEMBERS OF

The Salisbury Literary and Scientific Institution,

AT THEIR REQUEST,

ON MONDAY, MARCH 23, 1868,

BY

JOHN LAMBERT, ESQ.,

POOR LAW INSPECTOR.

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"You shall *comprehend* all vagrom men."

DOGBERRY, in "*Much Ado about Nothing*."

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ON Monday evening (March 23) the concluding Lecture of the Session of the SALISBURY LITERARY AND SCIENTIFIC INSTITUTION was delivered at the Assembly Rooms, by Mr. Lambert, the subject being "Vagrancy Laws and Vagrants." The Mayor presided, and there was a large attendance of members and visitors.

The LECTURER said:—Just five hundred years before the cholera cast such a gloom over the city of Salisbury, a still more terrible scourge visited England, and made its first appearance on the very confines of Wiltshire. The plague known as the "black death," like the pestilence of which so many of those now present have so vivid a recollection, originated in the East, and after traversing the Continent of Europe, broke out suddenly and with great severity in Dorsetshire. In a few months it reached London, and then it gradually extended itself throughout the whole kingdom. "Of its victims," as one of our historians tells us, "many expired in the course of six hours, and few lingered more than two or three days. From man the exterminating malady spread itself to the brute creation. The carcasses of sheep, horses, and oxen lay scattered on the fields; they were untouched by birds of prey, and their putrefaction aided the malignity of the disorder. The labours of husbandry were neglected; no courts of justice were opened; the Parliament



was repeatedly prorogued by proclamation, and men, intent only on their own safety, fled from the care of the infected, and slighted every call of honour, duty, and humanity."

It is impossible to estimate, with even proximate accuracy, the number of persons who were carried off by this terrible plague. Some of the cotemporary writers say that one-third, whilst others assert that no less than one half, of the entire population perished. One fact, however, is certain, and we have it on the authority of the Statute Book itself, that "a great part of the people, and especially of workmen and servants, died of the pestilence." The result may easily be imagined. The demand for labourers became so great that they were able to make their own terms, and the wages exacted in many instances were double, and sometimes treble, the amount which had previously been paid.

We who live in a different state of society can scarcely realize the extent of the social disorganization which ensued from the "black death" of the 14th century. The lower classes, who consisted of serfs and of a considerable vagrant population, just emancipated from their serfdom, in consequence of the wars and the famine in the earlier part of the same century, became masters of the situation, and the Statute of Labourers, passed for the purpose of restraining the demands of the workmen of that day, by fixing a maximum of wages, contains the first germ of our laws for the suppression of vagrancy and begging. In justification of this proceeding, the Parliament alleged that "many, seeing the necessity of masters, and the great scarcity of servants, will not serve unless they receive excessive wages," and that "some are rather willing to *beg in idleness*, than by labour to get their living." It was, therefore, ordained that every able-bodied man and woman, under 60 years of age, not living in merchandize, nor exercising any craft, nor having of his own whereof he may live, nor land about whose tillage he may himself occupy, and not serving any other, should be bound to serve any person requiring his services, and take only the wages accustomed to be given three years previously, upon pain of imprisonment. And touching vagrants, the statute contains the following enactment:—"Item: Because that



many right mighty and strong beggars, as long as they may live of begging, do refuse to labour, giving themselves to idleness and vice and sometime to theft and other abominations; none, upon the pain of imprisonment, shall, under the colour of pity or alms, give anything to such which may labour, or presume to favour them in their sloth, so that thereby they may be compelled to labour for their necessary living."

It is not necessary that I should point out that the provisions of this statute are altogether opposed to the present policy of the law, which favours the free circulation of labour, or that they are as unjust towards the labourer as some of the modern regulations of Trades' Unions are to the employer. But I must draw your particular attention to the remarkable fact that the statute seeks to repress mendicancy by punishing, not the man who begs, but the one who gives; whereas our subsequent legislation reserves all its terrors for the unfortunate beggar. As a matter of course, the expectations of the framers of the statute were not realised. Rather than work for such low wages, numbers of the labouring population resorted to robbery and theft, and within four years afterwards "great clamour and grievous complaint was made, as well by aliens and by denizens, that merchants and others, passing through the realm of England with their merchandize and other goods, were slain and robbed." Parliament thereupon declared that fugitive labourers should be outlawed and imprisoned, and that under certain circumstances of aggravation they should be burnt in the forehead with an iron, made and formed to the letter F, in token of falsity.

In spite, however, of this severity, fugitive labourers continued to swell the ranks of the vagrant class, and within a few years the wisdom of Parliament was again called into requisition to suppress the growing evil.

One of the obvious defects in the Statute of Labourers is that if a man went to a distance, and was employed there, his master had no means of knowing whether he was a fugitive or not; and accordingly the statute of the 12th of Richard II. enacted that no labourer should depart from the hundred where he was living without taking with him a

license under the king's seal, which for this intent was to be assigned and kept by some goodman of the hundred; and all persons were prohibited from hiring a labourer who had no such license. Moreover able-bodied beggars were absolutely forbidden to beg; and beggars "impotent to serve" were required to abide in the town where they were then dwelling. But if the people of such towns would not or could not support them, then they were to draw themselves to other towns within the hundred, or to the places where they were born, and there to abide for the rest of their lives.

At the same time the Parliament directed that a pair of stocks should be provided in every town to "justify any labourers or beggars who offended against the law;" and every labourer and beggar, who was found offending, was to be put in the stocks and detained there until he found surety to return to service or to serve or labour in the town from which he came.

This statute, which contains the germ of the law of settlement and removal of later times, constitutes the second step in the crusade against vagrancy.

It was not until upwards of a century afterwards that the Parliament again found it necessary to deal with the question. It must not, however, be supposed that either the rigours of the previous legislation, or any great improvement in the social condition of the people, had mitigated or suppressed the evil. The very rigour of the law was sufficient to prevent it from being generally executed, and the same causes which had been previously in operation continued, in a still more marked degree, to swell the ranks of the vagrant classes. The increase of population and the additional taxation incident to the wars, in which the nation was from time to time engaged, compelled the owners of the land to emancipate the serfs, for whom they could not find employment, or whom they could not maintain. Destitute of resources the emancipated serf found himself without any other possession than his mere freedom, and in many instances the life of a mendicant, or a robber, was his only alternative. Again, large numbers of discharged soldiers returned home from time to time wholly unprovided for, and these not only excited a spirit of discontent amongst

the lower orders, but largely increased the vagrant and destitute classes.

There are no data from which we can estimate the number of the mendicants and vagrants of this period of our history ; but in the reign of Henry VII. it became so great as to excite the alarm of the Government and the nation.

To enforce the punishment of imprisonment against such numbers would have been impracticable, and even if the gaols had been large enough to contain the offenders the cost of their maintenance would have been insupportable. The Parliament, therefore, was constrained to moderate the provisions of the former statutes, and in the 11th year of Henry VII. Parliament made a third attempt for the suppression of vagrancy.

If we desire to learn and understand, in an unprejudiced manner, the history of our country it is absolutely necessary we should resort to the Statute Book, as to the fountain head, for information as to the causes of the successive changes which have marked our transition from the feudal system to modern civilization ; and for the historian nothing is more important than to examine the preamble of each statute, if he wishes to know the circumstances which have accompanied each important step in our progress.

Acting upon this neglected principle, we must refer to the Act against Vagabonds and Beggars, passed in 1495, for an explanation of the motives which led to its introduction :—

“ Forasmuch,” to quote the preamble, “ as the King’s Grace most entirely desireth amongst all earthly things the prosperity and restfulness of this his land, and his subjects of the same to live quietly and surefully to the pleasure of God and according to His laws ; willing and always of his pity, intending to reduce them thereunto by softer means than by such extreme rigour therefor provided in a statute made in the time of King Richard II. ; considering also the great charges that should grow to his subjects for bringing of vagabonds to the gaols according to the same statute, and of the long abiding of them therein whereby by likelihood many of them shall lose their lives,” the Parliament was induced to make the enactment to which I shall presently refer.

Three things, therefore, may be collected from this recital :—

1. That the statute of Richard II. had been found ineffectual, from its extreme rigour.

2. That the expense of maintaining the vagrants who were sent to gaol was oppressive, and

3. That probably some of them had already died from the effects of their long imprisonment.

Instead, therefore, of imprisoning vagabonds and idle and suspected persons, the statute provided that they should be set in the stocks for three days and three nights, with no other sustenance but bread and water ; and then they were to be set at large and commanded to avoid the town. If taken afterwards in the same town they were to be put in the stocks for six days with the same diet as before, and if any person gave any other kind of food to them whilst they were in the stocks then such person was to forfeit 12d.

The Parliament did not confine its attention to able-bodied vagrants, but it made a new provision for disabled beggars. It declared that they should go and abide in their hundred where they last dwelt or where they are best known, or born, there to remain or abide without begging out of the said hundred upon pain of being punished in like manner.

The Legislators, however, of the fifteenth century, like their successors in the present day, were not always perfect in their performances ; and it will be observed in the statute just quoted that, whilst the vagrant who had luxuriated in the stocks for three days on bread and water was commanded to avoid the town where he had been thus hospitably entertained, there was no indication whatever as to the places to which he was to betake himself afterwards ; and consequently, in an Act of the 19th year of the same King he was directed to take himself off to the city or hundred where he was born, or where he had last made his abode for three years, and that as hastily as he conveniently could, and there to remain and abide ; at the same time the punishment for the offence was mitigated by providing that when a vagrant was first taken his detention in the stocks should be limited to one day and one night. The Act also required *disabled* beggars to go to the town or hundred where they were born, or where they had



last resided for three years, "there to remain or abide without begging out of the said city, town, hundred, or place, upon pain to be punished as is aforesaid."

We have now completed the third epoch of our Vagrancy Laws; but it is evident that neither the fear of the stocks nor the diet prescribed for the offender had any real effect in the suppression of vagrancy, as we learn from the Act passed in the 22nd of Henry VIII. (1530), for the punishment of beggars and vagabonds, the preamble of which asserts that "in all places throughout this realm of England, vagabonds and beggars had of long time increased, and daily did increase in great and excessive numbers, by the occasion of idleness—mother and most of all vices, whereby had insurged and sprung, and daily insurgeth and springeth, continual thefts and murders, and other heinous offences, and great enormities, to the high displeasure of God, the inquietation and damage of the King's people, and to the marvellous disturbance of the common weal of this realm; and that, notwithstanding the many and sundry good laws previously made, the numbers of vagabonds and beggars be not seen in any part to be diminished, but rather daily augmented and increased into great routs and companies." Justices of the Peace were therefore empowered to grant licenses in duplicate to aged and disabled beggars to beg within certain limits, and if they begged out of the prescribed limits they were to be put in the stocks, with the same generous diet of bread and water as before. If they begged without a licence the constables were, if so ordered by a justice, to strip them naked from the middle upward and cause them to be whipped; and if not, they were to be put in the stocks for three days and three nights, with bread and water, and afterwards the justices were to give them a licence and swear them to depart. And as to persons "being whole and mighty in body," and able to labour, there was, as may be supposed, but little mercy shown to them. If any such person was taken in begging, or any man was vagrant and unable to give any reckoning how he lawfully got his living, he was to be tied to the end of a cart naked, and beaten with whips throughout the market town or other place till his body was bloody by reason of such whipping. Then he was to be

enjoined on oath to return to the place where he was born or last dwelt for three years, and there put himself to labour, "like as a true man oweth to do." He was to have a letter, stating that he had been punished, and limiting the time he was allowed to beg by the way on his return, and if he failed to return in time he was to be whipped until his return.

A distinction was made in the case of the mere vagrant who, after he had been whipped, might be put in the stocks till he had found surety to go to service or else to labour: and constables and inhabitants were to be fined if they neglected to execute the Act.

The framers of this statute seem to have been fully sensible of the rights of women, females being expressly named, as liable to the punishments incurred for acts of vagrancy.

It is evident, however, that the Act contains one great defect. It punished beggars and vagrants for begging and for being idle, but it imposed no obligation on the local authorities to set them to work, and this defect is admitted in the preamble to the subsequent statute of the 27th of Henry VIII., which states that it was not provided in the preceding Act how the inhabitants of every hundred should be charged for the relief of the same poor people, nor yet for the setting and keeping in work and labour of the said valiant vagabonds at the repair to their hundreds. The local authorities were in consequence enjoined that "they should most charitably receive the same poor creature or sturdy vagabond, and should not only succour, find, and keep all and every of the same poor people, by way of voluntary and charitable alms, in such wise that none of them should wander idly and go openly begging, but also to come and compel the said sturdy vagabonds and valiant beggars to be set and kept to continual labour, that they might get their living with their own hands." And failing to do this, the local authorities of each place were to be fined 20s. Persons who had been whipped and sent home were to travel at least 10 miles a day, until they reached the hundred or place to which they were to go.

It is worthy of note that in order to provide the requisite funds for relief, the local authorities and the churchwardens were required to collect alms with boxes on every Sunday

and festival day, and the clergy and preachers were directed to exhort their parishioners to contribute with liberality.\*

Having made this imperfect provision, the Parliament seem to have considered themselves justified in giving full vent to their hatred and contempt for the vagrant and mendicant classes, who stood "betwixt the wind and their nobility," by an enactment, which savours more of Eastern barbarity than of the considerate spirit, which is usually attributed to a constitutional Government.

The sturdy vagrant and valiant beggar, who committed a second offence, was not only to be whipped, but also to have the upper part of the gristle of his right ear clean cut off, "so as it might appear a perpetual token after that time that he hath been a contemptor of the good order of the commonwealth." Moreover, if any sturdy vagabond or valiant beggar, having the upper part of his right ear cut off as aforesaid, was afterwards found wandering in idleness, he was, on conviction, to suffer death as a felon. It is worthy of note that this Act, which constitutes the fourth step in the progress of our vagrancy laws, is the first instance of a legal obligation to provide for the relief and employment of the destitute poor; and there are one or two regulations in connection with it that ought not to be passed over.

It inaugurated a system of parochial accounts, by requiring that the Incumbent of each parish should keep a book, in which all the receipts and payments under the Act should be entered. It required that the churchwardens and the collectors appointed by them should account quarterly. It provided that they should be paid for the trouble of collecting, and that boxes or coffers should be provided in every parish in

\* "It is enacted by auctoritie aforesaid that ev'ry preacher, psone, Vicare Curate of this Realme, as well in all and ev'y their s'mons, collacions, biddynges, of the beades as in tyme of all confessions, and at the making of the willes or testamentes of any psonnes at all tymes of the yere, shall exhorte, move, stirre, and pvoke people to be liball and bountefully to extende their good and charitable almes and contribucions frome tyme to tyme for and toward the comforte and reliefe of the said pore, impotent, decrepite, indigent, and nedie people, as for the setting and keping to continuall worke and labour of the forsaid ruffelers, sturdie vacabundes, and valiaunt beggers in ev'ry Citie, Warde, Towne, Hundred, and Parishe of this Realme, as well within liberties as without."



which the collections should be deposited. Moreover, it made it penal to relieve in money, except through the constituted authorities, assigning as a reason that the assembling of persons to receive doles had tended to the spread of infectious diseases.

The Act expressly excepted from its provisions the Mendicant Religious Orders, and perhaps it is not too much to say that one circumstance which prevented the execution of the laws against begging was the existence of those bodies. To punish the members of the mendicant orders for begging would have been repulsive to the religious sentiment of the age, and so long as they were allowed to gather alms with impunity, it was difficult to punish begging by other persons as an offence.

It is remarkable that the dissolution of religious houses did not precede but followed the passing of the laws against vagrancy in the time of Henry VIII., and it would be interesting to inquire how far those laws were dictated by the anticipation of that great change.

The legislation to which we are next introduced shows the terror which had been created in the public mind by the large number of mendicants who had been turned adrift a few years previously; and the indisposition which was felt to execute the extreme penalties enacted in the preceding reign.

The preamble to the 1st of Edward VI., "An Act for the Punishing of Vagabonds and for the Relief of the Poor and Impotent Persons," is as follows:—"Forasmuch as idleness and vagabondrie is the mother and root of all thefts, robberies, and all other evil acts and other mischiefs, and the multitude given thereto hath always been within this realm very great and more in number (as it may appear) than in other regions, to the great impoverishment of the realm and danger of the King's subjects, yet until this time the legislation to suppress these evils hath not had the success which hath been wished, but partly by foolish pity and mercy of them which should have seen the said goodly laws executed, partly by the perverse nature and long accustomed idleness of the persons given to loitering, the said goodly statutes hitherto have had small effect." All statutes theretofore made for the punishment of vagabonds were consequently repealed, and the following enact-

ments substituted. (1.) Any runnagate servant, or any other "which liveth idly and loiteringly by the space of three days" was to be marked with a hot iron on the breast with the mark V. (2.) He was to be adjudged the slave of him who brought him before the justices, for two years, and who should take the said slave and give him bread, water, or small drink and refuse meat, and cause him to work by beating, chaining, or otherwise in such work as he shall put him unto, be it ever so vile. (3.) If such slave absented himself from his master for 14 days he was to be marked on the forehead or ball of the cheek with a hot iron with the sign of an S, and should be adjudged a slave to his master for ever. (4.) If he ran away a second time he was to be adjudged a felon. (5.) Any person to whom another should be adjudged a slave might put a ring of iron about his neck, arm, or leg.

All impotent, maimed, and aged persons, who could not be taken for vagabonds, were to have convenient houses provided for them, and to be relieved in the places where they were born, or most conversant by the space of three years, by the willing and charitable disposition of the parishioners; and none other were to beg there.

It is not surprising that this Act also should have been a failure, and accordingly another Act was passed within three years afterwards (3 and 4 Edward VI., cap. 16), repealing so much of the last Act as enacted that vagrants might be made slaves.

The statute of the 22nd of Henry VIII., cap. 12, was, at the same time, revived, appointing how impotent and aged persons should be relieved and vagabonds punished. Agricultural labourers "which do loiter and be idle when reasonable wages be offered to them" were to be punished as vagabonds, and maimed, sore, aged, and impotent persons were to be relieved and cured, and habitation provided for them, by the devotion of the good people of that city, town, or village where they were born, or had dwelt for three years.

We have just seen that the statute of the first year of Edward VI. required that hospitals should be provided for the disabled poor, and during his reign two Royal Hospitals were founded, viz., Christ's Hospital and St. Thomas's Hospital, for the sick

and impotent poor ; and the House of Correction of Bridewell was established for the employment and punishment of the strong and the idle : a system of classification upon which our recent legislation with respect to the Metropolitan in-door poor may be said to be based.

The last Act, however, was not long lived, and in 1572 it was repealed by the 14th of Elizabeth, cap. 5, which provided another kind of torture for the unhappy vagrant. A vagabond above the age of 14 years was to be grievously whipped and burned through the gristle of the right ear with a hot iron of the compass of an inch, unless some credible person should take him into service for two years. If, being of the age of 18, he after should fall into a roguish life, he was to suffer death as a felon, unless some credible person should take him into service for two years.

This Act furnished a convenient opportunity for the opponents of capital punishment, if any existed in those days, to save the life of a convict by introducing into their establishments a condemned vagrant.

The next important Act is the 39th of Elizabeth, cap. 3, which, however, was only temporary. It is the first which provided for the appointment of overseers, upon whom it conferred the power to make rates for the relief of the poor, in the same manner as the well-known Act of 43rd of Elizabeth, to which I shall presently refer. But it contains one important provision not to be found in that Act. It declared that all persons wandering abroad and begging, either with license or without, should be taken and punished as rogues ; but this prohibition was not to be extended to any poor people who asked for relief of *victual only*, in the same parish where they lived.

Immediately following this Act is another for the punishment of rogues, vagabonds, and sturdy beggars. It repeals all former acts, and for the first time defines who are included in those terms. All such were to be stripped naked, from the middle upwards, and openly whipped till their bodies were bloody, and then sent to the parish where born, if known ; and, if not, to the parish where they had dwelt for a year. If their place of birth, or the place where they had

resided for a year, could not be ascertained, they were to be conveyed, if able-bodied, to the House of Correction or Gaol; and, if not able-bodied, to an Almshouse.

The Act contains a curious provision, that "no diseased or impotent poor person should resort or repair to the City of Bath, or the town of Buxton, to the baths there, for the cure of their griefs, unless such person do forbear to beg there, and be licensed by justices, and provided with such relief as shall be necessary for and towards his maintenance. And the inhabitants of those places were not to be chargeable in any wise with the relieving of any such poor people."

The next statute was one for erecting hospitals, or abiding and working houses, for the poor. During the next 20 years any person might erect and establish hospitals, *Maisons de Dieu*, and abiding places or houses of correction, as well for the finding, sustentation, and relief of the maimed, poor, needy, or impotent people, as to set the poor to work.

The 39th Elizabeth, cap. 17, is directed against lewd and wandering persons, pretending themselves to be soldiers or mariners. It recites that divers lewd and licentious persons have of late days wandered up and down in all parts of the realm, under the name of soldiers and mariners, and do assemble themselves weaponed in highways and elsewhere in troops, and that many heinous outrages, robberies, and horrible murders are daily committed by these dissolute persons: and it requires that all such soldiers, mariners, and idle persons should settle themselves in some service, labour, or other lawful course of life, without wandering, or otherwise repair to the places where they were born, or to the dwelling places, if they have any, and there remain, betaking themselves to some lawful trade or course of life, upon pain of being reputed felons, and suffering death accordingly.

We next come to the celebrated statute of the 43rd of Elizabeth, which is commonly referred to as the foundation of our existing system of poor relief. We have seen, however, that under the statute of Henry the VIII., an obligation was cast upon every place to maintain its own sick and infirm poor, and to provide work for the able-bodied; and, further, that an organisation was established for collecting the neces-



sary funds for the purpose. The defect, however, in that law is, that whilst it required the local authorities to collect the necessary funds for relieving the poor, it left them without remedy in case the inhabitants refused to contribute. The 43rd of Elizabeth, which is virtually a re-enactment of the temporary measure passed four years before, permanently supplied the defect by providing for the appointment of four, three, or two substantial householders in every parish, to be called Overseers of the Poor, whose duty it should be to set to work all persons having no means to maintain themselves, and using no ordinary and daily trade of life to get their living by, and to raise weekly or otherwise by taxation of every inhabitant in such competent sums as they should think fit, a convenient stock of flax, hemp, wool, thread, iron, and other necessary ware and stuff, to set the poor on work, and also competent sums of money for and towards the necessary relief of the lame, impotent, old, blind, and such other among them as were poor and unable to work. Paupers refusing to work were to be sent to gaol, and the Overseers were empowered, with the consent of the Lord of the Manor, to build houses on the waste for the impotent poor.

It is worthy of note, that this Act contained no provision for the punishment of mendicancy; but there can be no doubt that its effect was to diminish, to a considerable extent, the enormous herd of mendicants who at that period were found in almost every part of the kingdom, but especially in the larger towns and cities.

Prior to the dissolution of religious houses, the poor and destitute classes derived their chief support from the profuse alms of those establishments; and although, as we have seen, the mendicant and vagrant population continued to increase during the 15th and earlier part of the 16th centuries, the resources derived from private charity proved sufficient for the exigency, without the aid of a compulsory provision.

When, however, the abbeys and monasteries became untenanted, the daily dole was no longer to be obtained, and it is not surprising that the destitute thousands, thus turned adrift, should have placed themselves in open hostility to the rest of society. \* We who are alarmed, if accosted by two or

three beggars, or a party of frozen out gardeners with new spades which have never been used, can form but little idea of the state of alarm in which the whole country was thrown by the swarms of beggars and thieves who in the 16th century were met at every turn. Some of them collected together in companies known as the "running camp," and each company was presided over by a chief, who seems to have claimed some of the privileges which a feudal lord exercised over his vassals. Queen Elizabeth herself, in some of her drives, was occasionally beset with a number of these beggars, and on one occasion, when riding through Islington, her coach was surrounded by so many that they put her into some disturbance, and on that night and the next day 74 rogues were taken and sent to Bridewell.

If we ourselves had lived in those times I am not so sure that we should have altogether repudiated the barbarous and cruel legislation which in the first instance was directed to the suppression of the vagrant class.

These statutes, happily, were found impracticable, and of course utterly failed in their object; but, under the more humane and wise measure of Queen Elizabeth, the classes previously destitute ceased to be dependent upon voluntary charity, and became absolutely entitled to relief from a public fund, so that there was no longer a necessity or an excuse for the mendicant. The statute of Elizabeth, however, like other Acts of Parliament, had to be carried into effect by human agency, and although a man may occupy the important office of overseer of the poor, he is not always exempt from the infirmity of endeavouring to save his own pocket, or relieve himself from trouble. By various devices the poor were encouraged to quit the parishes to which they were chargeable, and the contemplated provision for setting the able-bodied to work was altogether neglected. In this manner vagrancy and mendicancy again received an impulse, and in 1662 the 14 c. 2, cap. 12, which established the principle of settlement and removal, was passed. The preamble to that statute states that "the necessity, numbers, and continual increase of the poor is very great and exceeding burthensome, being occasioned by some defect in the law concerning the settlement of the

poor, and for want of a due provision for the regulation of relief and employment in the parishes where they are legally settled, which doth enforce many to turn incorrigible rogues and others to perish for want, together with the neglect of the faithful execution of such laws and statutes as have been formerly made for the apprehending of rogues and vagabonds and for the good of the poor."

Here, then, we have the old complaint again of the increase of vagrancy, and that the laws were not obeyed or enforced.

The statute goes on to say that "By reason of some defects in the law poor people are not restrained from going from one parish to another, and therefore do endeavour to settle themselves in those parishes where there is the best stock, the largest wastes or commons, to build cottages, the most woods for them to burn and destroy, and when they have consumed it then to another parish, and at last become rogues and vagabonds, to the great discouragement of parishes to provide stocks." In order to meet these defects, a power was given to remove persons coming into a parish and likely to become chargeable to it, and convey them to the parish where they were last settled either as "a native, householder, sojourner, apprentice, or servant, for the space of 40 days at least."

This statute is the foundation of our law of settlement and removal, and there is thus much to be said in its favour—that it has given rise to more litigation and political controversy than any other Act in the Statute Book. I have seen it stated that more than 400 books have been written on the subject; and a very competent writer tells us that "the King's Bench became choked with parish cases; that armies of counsel were arrayed in this kind of contention, and that to be a sessions lawyer was the qualification to the appointment of chief justice."

But the Settlement Laws do not appear to have had any sensible effect in repressing the evils of vagrancy. Indeed, it is evident that the temptation to prevent paupers from becoming chargeable to a parish would often have the opposite result; and in 1713 (12th Anne) the Parliament made another attempt to accomplish that which all preceding Parliaments



had failed to achieve. Justices were empowered to order search to be made for vagrants, and vagrants when convicted were to be either whipped and sent to their place of settlement, or sent to the house of correction and whipped there; and in order to insure the execution of the law, the act authorised rewards to be offered for the apprehension of vagrants, and constables were subjected to fine for neglecting to apprehend them.

These enactments indicate very clearly that those entrusted with the execution of the Vagrancy Laws were not more active in their vocation than some of the authorities of the present day; and that then, as now, the words which Shakespeare puts into the mouth of Dogberry formed the practical code for the guidance of Bumbledom.

*"Dogberry—*This is your charge: you shall comprehend all vagrom men; you are to bid any man stand in the Prince's name.

*"2nd Watch—*How if he will not stand?

*"Dogberry—*Why then take no note of him, but let him go; and presently call the rest of the watch together and thank God you are rid of a knave."

In 1744, Parliament was again occupied with the question, and the Act of 17 Geo. II., cap. 5, furnishes an instance of another attempt to solve this difficult problem of vagrancy.

The Act states that "the number of rogues, vagabonds, and beggars, and other idle and disorderly persons daily increases, to the great scandal, loss, and annoyance of the kingdom, and it punishes with imprisonment and hard labour persons who return to parishes from which they have been removed; who refuse to work for the usual wages; or who go about from door to door, or place themselves in public places to beg or gather alms;" and it provides that all persons going about as gatherers of alms under pretence of loss or other casualty, or as collectors for prisons, gaols, or hospitals; all common players, minstrels, jugglers, gypsies, or pretending to have skill in physiognomy, or palmistry, or pretending to tell fortunes, shall be deemed rogues and vagabonds. All such persons were to be whipped, or sent to the House of Correction, and afterwards conveyed to the place of their settlement or of their birth. And a pass was to be given

to convey them there. The parish to which vagrants were conveyed was to take care to employ in work, or place in some workhouse or almshouse the persons so conveyed there, until they should betake themselves to some other service or employment. In conclusion, the act stated that persons described to be rogues, vagabonds, or incorrigible rogues are much encouraged in wandering about by the reception they too often meet with in villages and in places where they are permitted to lodge in houses, barns, or other outhouses or buildings; and it inflicted a fine of 40s. upon any person allowing them to lodge in such places. A somewhat different enactment this from that found in some of the laws of the Saxon period, which required the householder to receive and entertain every weary wanderer for a period not exceeding three days.

In 1792, fifty years after the passing of the Act lastly quoted, we find the Legislature again engaged in "amending and making more effectual the laws relating to rogues, vagabonds, and other idle and disorderly persons." The attempt was repeated in 1822, and in 1824 the Act was passed which is now in force, with some amendments, for dealing with this apparently hopeless subject.

The Act of the 5th of Geo. IV., cap. 83, repeals all former Acts, and divides the vagrant and mendicant classes into the three following genera :—

1. Idle and disorderly persons ;
2. Rogues and vagabonds ;
3. Incorrigible rogues ;

And it goes on to distribute each genus under several different heads.

The first comprises—1. Persons able to maintain themselves by work or other means, and by refusing to do so rendering themselves or their families chargeable to the rates ; 2. Persons returning, and becoming chargeable to a parish from which they had been removed, without having a certificate ; 3. Pedlars wandering about, and trading without a license ; 4. Prostitutes, wandering in public places and behaving in a riotous or indecent manner ; 5. Persons wandering abroad or placing themselves in public places, and

begging, or encouraging children to do so. All these were idle and disorderly persons, and liable to be imprisoned for a month, with hard labour.

II. Rogues and vagabonds are—1. Persons convicted of the offences already described a second time; 2. Fortune-tellers; 3. Persons wandering abroad and lodging in barns, outhouses, and deserted and unoccupied buildings, or in carts or wagons, not having any visible means of subsistence, and not giving a good account of themselves; 4. Persons publicly exposing obscene prints; 5. Persons endeavouring by the exposure of wounds and deformities to obtain or gather alms; 6. Persons endeavouring to obtain charitable contributions by false pretences; 7. Persons running away and leaving their families chargeable; 8. Persons playing or betting in any open and public place with any table or instrument of gaming or any game of chance; 9. Persons intending to commit any felonious Act. All these were to be kept to hard labour for three months.

III. Incurrible rogues are persons who escape from any place of legal confinement, who commit a second time any offences for which they have been punished as rogues and vagabonds, or who resist any constable when they are apprehended. These were to be committed for trial at the Quarter Sessions, where they might, if found guilty, be imprisoned for a year, with hard labour.

This Act, with some few additions, embraces the law against vagrants in force at the present time.

The Poor Law Amendment Act of 1834 contains no provisions with respect to vagrants; but it is worthy of note that the Commissioners, in their general order for the management of workhouses, pay vagrants the compliment of treating them as a distinct class, by exempting them from the regulations respecting the admission, clothing, and searching of paupers, unless they are compelled to to remain in the workhouse from illness. But at the same time, the Commissioners direct that they shall be kept in a separate ward of the workhouse, and dieted and set to work in such manner and under such regulations as the guardians may direct. It was soon found, however, that the vagrants

did not duly appreciate this act of consideration ; and shortly afterwards it was found necessary to provide by the 5 and 6 Vic., cap. 57, that vagrants refusing to perform the task of work assigned to them, or wilfully destroying their own clothes or the property of the guardians, were declared to be idle and disorderly persons, and punishable accordingly.

At the same time, it is obvious that the question of the suppression of vagrancy was one which could not fail to attract the attention of the Commissioners in connection with the new system of Poor Relief ; and from time to time extensive inquiries were instituted by them with the view of ascertaining the extent of the evil and the best means of remedying it.

In the hope of preventing the scandal of witnessing numbers of houseless persons wandering about in the streets of the Metropolis every night, a measure was passed in 1844 for the formation of district asylums in the Metropolis and some other large towns, for the temporary relief of poor persons found destitute and without lodging. The Metropolis was immediately afterwards divided into districts for that purpose ; but owing to the opposition of the parish vestries then, but happily not now, in the ascendant, it was found impracticable to carry into effect the provisions of the Act, and the houseless poor were still left to the mercy of the local authorities, who had a direct and immediate interest in driving them to an adjoining union or parish, which they did not fail to do, by means with which everybody is sufficiently familiar.

The subject was again brought before Parliament, and in 1864 the Committee on Poor Relief made their report, which led to the passing of the Houseless Poor Acts of 1864 and 1865, under which decent and sufficient accommodation has been provided for every poor wanderer or casual who may happen to be destitute of food or shelter in the Metropolis.

I have no doubt that some will be of opinion that these Acts constitute a triumph for the vagrant class, but it must be borne in mind that the law has long since imposed upon those who administer the parochial rates the obligation of relieving destitution in a decent and becoming manner, and a class, which has so persistently sacrificed so much for its



principles, need not be envied the luxuries which even a Metropolitan vagrant ward may be supposed to supply.

I now proceed to give a description of the kind of persons from whom the vagrant and mendicant class may be said to be recruited.

In our estimate of vagrancy we must always remember that in all communities some persons will be found who, by the very constitution of their minds are vagrants, and whose natural predisposition for a roving and rambling life can never be eradicated.

*"Naturam expellas furcâ, tamen usque recurret."*

For my own part I cannot help looking upon that instinct to which we are indebted for a Colombus, a Cook, a Speke (I do not refer to the reverend gentleman of that name), or a Livingstone, even in its degraded form, without a certain feeling of interest and respect.

Besides this characteristic, there are other propensities, or peculiarities of disposition, which swell the ranks of the vagrant population. The commission of a terrible crime made Cain a vagabond. "I shall be a fugitive and a vagabond in the earth, and it shall come to pass that every one that findeth me shall slay me." He felt that the hand of everyone would be raised against him, in consequence of his sin, and those who commit offences against society will always seek to escape detection for the same reason. A taste for low and degrading pursuits will also cause some to withdraw themselves from the more genial influence of civilization, and, it may be added, that the very love of freedom and independence which characterizes the English people is calculated, when developed to an extreme, to give an additional impulse to the tendencies to which I have just adverted.

These may be considered to be the elements of vagrancy in its normal state. But it must not be forgotten that sudden or extensive social changes, or ill-considered legislation may have the effect of adding largely to the vagrant and mendicant population.

The evictions which followed the Norman Conquest caused large numbers of Englishman, expelled from their lands and

possessions by their Norman conquerors, to form themselves into lawless bands; and in the 12th and 13th centuries the Crusades had begun to render the people throughout the whole of Western Europe impatient of the restraints of the feudal system, which in many instances was little better than abject slavery. The subsequent emancipation of large numbers of serfs, brought about by circumstances to which I have already alluded, had the effect of creating a large class of persons for whom under the existing institutions there was no provision; and if to these we add the disbanded soldiers who from time to time returned from the wars, and the no inconsiderable number of persons who had put themselves beyond the pale of the law by rebellion in the middle of the 15th century, we shall form a tolerably accurate conclusion as to the class with which the legislation prior to the reign of Henry VIII. professed to deal.

We next come to the numberless paupers who were turned adrift by the dissolution of religious houses; and although by the joint action of the social changes which were then in progress, and the legislative measures of the later years of Elizabeth, the number of vagrants and mendicants subsequently became considerably reduced, vagrancy had nevertheless elevated itself into an established institution, many of its members rejoicing in the advantage of an hereditary descent, and the various sections into which the class was divided indicate the many devices which had been resorted to for the purpose of preserving its privileges and evading the penalties of the law.

In the earlier statutes the only description we meet with is that of "vagrants, or vagabonds, or sturdy, valiant, and mighty beggars," but in the statute of Henry VIII., we meet with the word "*Rufflers*," who pretended to be discharged or maimed soldiers or sailors. Vagrants, according to some of the earlier writers, are "such as wake in the night and sleep in the day and haunt customable taverns and ale houses, and routs about, and no man wot from whence they come or whither they go;" and the author of a pamphlet, published in 1666, compares them to "the Apodes, a bird in India, of whom Juvenal speaks, that hath no feet to rest on, but is always flying; so these have

no settled habitation or employment to be maintained by, but live by cheating, thieving, cutpoursing, and such like villanies, lurking and shifting up and down in secret places, of which there are multitudes." One of the Acts of the 39th of Elizabeth, however, contains a somewhat detailed classification of the fraternity, which clearly shows the close affinity between the vagrants of the 16th century, and those of the present day.

1. "Persons calling themselves scholars going about begging."

2. "Seafaring men pretending losses of their ships or goods on the sea, going about the country begging."

3. "Idle persons going about in any country either begging or using any subtle craft or unlawful games or plays, or feigning themselves to have knowledge in physiognomy, palmistry, or other like crafty science, or pretending that they can tell destinies, fortunes, or such other like fantastical imaginations." Table-turning and spirit-rapping, not being known in those days, were not specified in the statute.

4. "Those that be or utter themselves to be proctors, procurors, patent gatherers, or collectors for gaols, prisons, or hospitals."

5. "Fencers, bearewards" (the beareward was a person who went about with a dancing bear, and at that time there must have been a considerable number of them), "common players of interlude and minstrels wandering abroad (other than players of interlude belonging to any baron of this realm, or any other honourable personage of greater degree, to be authorised to play, under the hand and seal of arms of such baron or personage.)"

6. "Jugglers, tinkers, peddlers, and petty chapmen wandering abroad."

7. "Wandering persons and common labourers, being persons able in body, using loitering and refusing to work for such reasonable wages as is taxed, or commonly given in such parts where such persons do or shall happen to dwell or abide, not having living otherwise to maintain themselves."

8. "Persons delivered out of gaols that beg for their fees, or otherwise do travel begging."



9. "Such persons as shall wander abroad begging, pretending losses by fire or otherwise," and

10. "Such persons, not being felons, wandering and pretending themselves to be Egyptians, or wandering in the habit, form, or attire of counterfeit Egyptians."

This list, no doubt, included in general terms all the companies under which the vagrants of that day were ranged; but it is evident that the division then existing amongst themselves was much more minute. The author of "A Classical Dictionary of the Vulgar Tongue," printed in 1796, quotes from Mr. Harrison's description of England, prefixed to Mr. Hollingshed's Chronicle, which was written prior to 1600, where treating of beggars and gypsies, he says, "It is not yet fifty years since this trade began; but how it hath prospered within that time it is easy to judge, for they are now supposed, one sex and another to amount unto above 10,000 persons, as I have heard reported. A gentleman (Mr. Thomas Harman) also of late hath taken great pains to search out the secret practices of this ungracious rabble, and, amongst other things, he setteth down and describeth 22 sorts of them whose names it shall not be amiss to remember, whereby each one may gather what wicked people they are, and what villany remaineth in them."

Mr. Harman's book is entitled "A Caveat for Common Cursetors, vulgarly called vagabones, set forth by Thomas Harman, Esquire, for the utilitye and proffyt of hys naturall cuntrye, newly augmented and imprinted Anno Domini 1567, viewed, examined, and allowed unto the Queen's Majesty's Injunction."

The crew referred to by Mr. Harman comprises the following varieties:—

#### MEN.

Rufflers,	Jarkmen, or Patricoes,
Upright Men,	Fresh Water Mariners,
Hookers, or Anglers,	or Whip Jackets,
Rogues,	Drummers,
Wild Rogues,	Drunken Tinkers,
Priggers, or Prancers,	Swaddlers or Pedlars,
Palliardes,	Abrams,

Fraters.

## WOMEN.

Demanders for Glimmer,	Doxies,
or Fire,	Delles,
Morts,	Kenching Morts,
Autem Morts,	Kenching Coes,
Walking Morts.	

The author of the dictionary to which I have referred explains the meaning of each of these designations in detail. I have only time to refer to a few of them. The "Upright Man" is the principal, or leader of a crew. "Anglers" are those who steal with a stick having a hook at the end of it. "Wild Rogues" are vagrants trained to steal from infancy. "Palliardes" are beggars born. "Fraters" are those who beg with briefs and petitions. "Jarkmen" counterfeit passes or certificates. "Fresh Water Mariners" pretend to be sailors. "Drummers" pretend to be born deaf and dumb. "Abrams" are beggars who go about half naked. Amongst the women, the "Autem Morts" are female beggars with children, either belonging to themselves or borrowed from others, to excite charity; and "Kenchen" means a little beggar child.

Although the names of the various species of vagrants have been subjected to change, their practices have not undergone much alteration. In a pamphlet published about 30 years since, entitled "An Exposure of the Various Impositions Daily Practised by Vagrants of Every Description," and written by a person who, as a travelling hawker, appears to have frequented for several years the lodging houses usually resorted to by them, we have a minute description of the various kinds of modern vagrants, and it is interesting to observe how closely their practices resemble those followed by their predecessors 300 years ago.

The author of this pamphlet distributes the vagrants of the present day under the heads of

Lurkers,	Cadgers,
Highflyers,	Match Sellers,
Shallow Coves,	Cross Coves,
Shallow Moths,	Prigs and Palmers.

It will be observed that scarcely one of these terms is to be found in the list printed in 1561; but we shall soon see that they embrace almost all the crafts there indicated.

Of all these classes the "Lurkers" are the most numerous, and they embrace nine or ten distinct varieties. The "Fire Lurker" goes about begging for alleged losses by fire. Then there is the "Shipwrecked Sailors' Lurk," the name of which sufficiently indicates the artifice adopted by its members. At one time this "lurk" was very profitable, and a certain "Captain" Johnson is said to have realized by it several hundred pounds.

I remember meeting, some years ago, in the evening, three "Lurkers" of this class in a lonely spot in this neighbourhood, and I was not a little anxious about the safety of my watch and purse, especially as, on my approaching the party, they placed themselves across the road so that I could not pass; but I was determined that I would not, except upon compulsion, abandon my resolution not to give them any relief. When I got close to them I said, "What do you want?" and they immediately replied, "Money." "Well now," I rejoined, taking them as it were into my confidence, "that is the very thing I am going after myself," whereupon they hailed me, as a brother, wished me good luck and good night, and I reached the end of my walk in safety.

Next we have the "Foreigners' Lurk," the "Accident Lurk," and the "Sick Lurk." Some of the "Sick Lurkers" tie up one of their arms in a very clever way, so that you would suppose they had lost it; others feign fits; others remain in bed, pretending to be ill, whilst they send out their companions to beg for them. Then there is the "Deaf and Dumb Lurk," and the "Servants' Lurk," the latter consisting of persons pretending to be out of place.

The colliers' lurk was, some years ago, followed by hundreds who had never been in a coal pit, but who pretended to be thrown out of employment by an explosion or other similar accident. The weavers', the calenderers', and the cotton spinners' lurk are the remaining subdivisions of this branch of the profession, and they have all been followed with very considerable success. These "Lurkers" usually carry about with them printed appeals, to which are usually appended the inviting words—"The Lord loveth a cheerful giver." The "highflyers" are begging letter writers. "Shallow coves" pretend to be ship-

wrecked sailors, and go almost naked in order to get left-off clothes. The author, to whom I am indebted for this information, says that Oxford was one of the best places for shallow coves ; and, as if to show that those who enjoy the advantages of a university education are not less wanting in sagacity than other people, he states that a party of shallow coves once obtained in one day at Leeds no less than 36 shirts.

I will not weary you with a description of the remaining orders of this fraternity, but I ought to add that cadgers are of two kinds, viz., "cadgers down right," who beg from house to house, and afterwards leave a chalk mark by the side of the door indicative of their success or failure, and "cadgers on the fly," who beg of ladies and gentlemen as they pass on the high road. Amongst the latter kind of cadgers are the "Screvers," who write texts or draw salmon or ships in coloured chalks on the pavement, and often show considerable artistic skill.

I have indicated the occupations of the vagrant class, and if I had time I might refer to some of their amusements. Races and fairs attract them in large numbers, and a public execution seems to have an irresistible charm for them, as it doubtless has for many other persons. It is stated in an able Report on Vagrancy, by my colleague, Mr. Corbett, that at Liverpool, on one occasion only, were applicants to the vagrant wards refused shelter for want of room, and then some thousands of persons having tramped from the factory districts to Liverpool to witness an execution, hundreds applied at the workhouse for a night's lodging and could not be accommodated. It may, I think, be assumed that the vagrants, as a body, are not favourable to the Bill relative to capital punishment now before Parliament, which, according to Mr. Serjeant Gazelee, will "deprive the poor man of his right to be hung in public."

Of the special amusements to which the class is addicted, I remember at this moment only one : that followed by "the Swearing Club," so graphically described by the author of "A Night in a Workhouse ;" but I suspect that if the club had been established thirty years ago, the numerous persons



qualified for membership, who might then have been found in other classes of society, would have been quite as much perplexed to observe the rules of that intellectual institution as Kay was himself.

Vagrants are so distinct from the rest of the community that it is not surprising they should possess a language of their own. Indeed, it is almost a necessity that those who live by dishonesty and false pretences should be able to communicate with each other in terms not understood by the public. In the preface to the dictionary of the *Vulgar Tongue*, to which I have already referred, the author, again quoting from Mr. Harrison's description of the vagrant class, in the middle of the 16th century, says :—"Moreover, in counterfeiting the Egyptian rogues, they have devised a language amongst themselves which they name canting, but others Pedlar's French, a speech compact thirty years since of English, and a great number of odd words of their own devising, without all order or reason; and yet such it is as none but themselves are able to understand. The first deviser thereof was hanged by the neck as a just reward, no doubt, for his deserts, and a common end to all of that profession."

I need scarcely say that the vagrant tongue is a living language, although it is much to be wished that it were a dead one, and that consequently it is undergoing continual change. I believe, however, that the following specimen, taken from "*Snowden's Police Officer and Constable's Guide*," edited by my friend, Mr. Glen, is not an incorrect representation of several terms now in use :—

"I pulled down a fan and a roll of snow. I starred the glaze and snammed 16 ridge yacks. I took them to a swag chovey bloak, and got six finnips and a cooter for the yacks. A cross cove who had his regulars down; a fly grabbed him. I am afraid he will blow it. He has been lagged for beaker hunting—was a mushroom faker—has been on the steel for snamming a wedge sneezer, so I must hoop it. Tell swag chovey bloak to christen the yacks quick."

The following is given as a translation of this elegant extract :—

"I stole from a shop door a waistcoat and a web of Irish linen. I broke the corner of a window and got 16 gold watches. I took them to a person who buys stolen property, who gave me six £5-notes and a sovereign for the watches. A fellow-thief who shared with me the

money is taken by a policeman, and I am afraid he will turn informer. He has been transported before for stealing poultry. He used to travel about the country mending umbrellas, and has been in prison for stealing a silver snuff-box. As I must run away, tell the person who bought the watches to get the names altered as soon as possible."

After what I have said of vagrants generally and the classes into which they are divided, you will be prepared to expect that there should be occasionally found amongst them men of considerable ingenuity and intelligence. You are all familiar with "Flint Jack," whose exploits in the manufacture of flint implements form so interesting a feature in the Blackmore Museum. But there are two or three other celebrities of whom you may not have heard, and to whom I now proceed to introduce you.

The first is a vagrant who may be said to possess a classical turn of mind, and as he is a native of an adjoining county you will feel more than a general interest in him. His name is George Atkins Brine, and he was educated in the Grammar School at Sherborne. Between 1831 and 1847 he was committed to prison no less than fourteen times for different acts of vagrancy, and the following is a letter written by him, on the occasion of his fifteenth conviction in 1848:—

To Mr. George Vincent, King's Arms Inn, Thornford, Sherborne,  
Dorsetshire.

Dorset County Gaol, December 27, 1847.

MY DEAR FRIEND,—You will remember my promise of writing to you, which I will now endeavour to fulfil. You are, no doubt, aware that I am committed for trial at the sessions on a charge of vagrancy, for being found sleeping in a stall belonging to Mark Sherrin, the butcher. I do not know what the issue of that trial may be, but I expect a term of imprisonment, and a corporal punishment by flagellation. The magistrate who committed me told me no effort on his part should be wanting to serve me, of which I have no manner of doubt. It seems a pleasure to him to have an opportunity of vomiting his waspish and dyspeptic spleen at me, but I am invulnerably proof against it. The dastardly pitiful schemes he has recourse to only serve to add to his disgrace, and to protract the immortality of his shame. I suppose Mark Sherrin means to carry on the crusade which his deceased brother so long and so unsuccessfully waged against me. He had declared eternal war, but was cut off in a moment, "and sent to his last account, with all his imperfections on his head." And who knows the destiny of the immortal spirit? It may be, for aught we know, imprisoned in all the hellish perpetuity of confinement, in those doleful regions where Ixion for ever turns his wheel; and where Tantalus in vain endeavours to slake his everlasting thirst with the water which eludes his lips; where Sisyphus, with unavailing labour, rolls up

the stone which eternally falls back ; and where Tityus feels the vulture incessantly preying on his heart, which as fast as it is devoured is again renewed. But methinks I have indulged in an unwarrantable and uncharitable strain. The pertinent remarks of the poet rush across my mind, who says :—

“ There is a spell by nature thrown  
Around the voiceless dead,  
Which seems to soften censure's tone,  
And guard the dreamless bed  
Of those, who whatsoe'er they were,  
Wait Heaven's conclusive audit there.”—*Quarles*.

My dear friend, please to give my respects to the indomitable Mr. Aldons, and to Master Robert England, to Charles Edmunds, and his copper-coloured majesty, James King of Thornford, likewise to your brother John, and most especially to your father and mother—I owe them the debt immense of endless gratitude ; never can I forget their generous kindness to me when I worked for them on the railway. I omitted to tell you that I had been in Yeovil for two days previous to my apprehension. Davis, the man I went to London with, called upon me at Sherborne, and wished me to accompany him to Plymouth, but to this I could not consent ; I promised to go as far as Exeter, but did not intend fulfilling my engagement ; we staid together two days in Yeovil, when I gave him the slip ; he would not stay an hour in Sherborne—the reason of this is obvious ; so you see, in striving to escape the whirlpool of Charybdis, I struck upon the rocks of Scylla. And now I must close my epistle : farewell, my valued friend, for the present, and believe me to remain, with the most sincere regard and respect,

Yours faithfully,

GEORGE ATKINS BRINE.

P.S.—Davis is become an itinerant quack doctor, and has a hopeful shoot with him (a son of the Emerald isle), apparently about 16 or 17.

My next specimen is a man known by the soubriquet of “ Bow-street,” who has embellished the vagrant wards throughout the country with scraps of poetry, written in a beautiful hand, and some of them not altogether without merit. A considerable number of these effusions will be found in the instructive report on vagrancy addressed to the President of the Poor-Law Board, in 1866, by my colleague, Mr. Doyle, who, by the charm of his style, is able to render a Blue Book interesting even to the uninitiated in departmental literature. I regret that I am unable to quote more than two of them. One was written in the workhouse of the Seisdon Union, at Trysull, and describes the manner in which vagrants are treated there :—

“ Dry bread in the morning, ditto at night,  
Keep up your pecker and make it all right.  
Certainly the meals are paltry and mean,  
But the beds are nice and clean ;



Men, don't tear these beds, sheets, or rugs,  
 For there are neither lice, fleas, or bugs  
 At this little clean union at Trysull.  
 But still at this place there is a drawback,  
 And now I will put you on the right track,  
 For I would as soon lodge here as in Piccadilly  
 If along with the bread they gave a drop of skilly,  
 At this little clean union at Trysull.  
 So I tell you again, treat this place with respect,  
 And instead of abusing, pray do it protect,  
 For to lodge here one night is certainly a treat,  
 At this little clean union at Trysull.—*Bow-street.*"

On the walls of the tramp ward of another union where the vagrants have "skilly," but no bread, "Bow-street" vents his indignation in these terms:—

"It's an ill dog that don't deserve a crust  
 Is a maxim true and just,  
 So we must be dogs of the very worst breed,  
 When we don't receive what we greatly need;  
 For it's very unkind, nay, further cruel,  
 To give here merely a drop of thin gruel.  
 But let them keep it, we can do without it,  
 And I mean to let half the town know about it."

Although Mr. Doyle designates "Bow-street" as "the Poet-Laureate of Cadgers," I am disposed to think that as a sentimental writer he is inferior to "Yankey Ben," of whose genius we may form an idea from the four following lines:—

"A little power, a little sway,  
 A sunbeam on a winter's day,  
 Is all the rich and mighty have,  
 Between the cradle and the grave."

There are few present who do not remember the once popular ballad of Alice Gray, and it may be interesting to them to know that a few years ago I found the author of the words in a dying state in a workhouse, after having led a vagrant life for many years previously.

The imperfect sketch which I have given of the Vagrant Classes and of the Laws which have been passed for their suppression, will not be without its value in considering whether there is any, and if so, what remedy, for an evil with which our legislators for upwards of 500 years have hitherto shown themselves unable to cope.

In reviewing the forces, which have been engaged in this protracted conflict, we find, on the one hand, a band of destitute outcasts, who have possessed no advantage beyond

their indifference to the comforts of civilization, and who have always been largely outnumbered by the other classes of society; whilst we see on the other hand the wealthy and powerful, and those numerous classes, who are interested in the maintenance of order and the protection of property, with all the resources which Parliament and the Executive could place at their disposal.

We have made fresh laws with each succeeding reign, and tried every species of cruelty, except, as Dr. Burn says, scalping. We have put these vagrants in the stocks for three days and three nights, with only bread and water. We have stripped them naked and beaten them at the cart tail with whips, in market towns, until their bodies were bloody. For a second offence we have put them in the pillory and cut off one of their ears, and for the third offence we have cut off the other ear too. Next, by way of variety, we have excised the upper part of the gristle of the right ear, as we would deal with a terrier dog, and if they have sinned again, after this mild caution, we have condemned them as felons. With hot irons we have branded their bodies with several of the letters of the alphabet, and made them slaves, to be sold and disposed of as goods or cattle. At a later period we have caused them to be grievously whipped and burnt through the gristle of the right ear with a hot iron of the compass of an inch; and for a third offence we have hung them, as we would murderers. Subsequently, we have resorted again to the practice of whipping, with the alternatives of transportation, or perpetual consignment to the galleys. Later on, we have abandoned the whipping and the cruelties which I have just described, and now we are content to use the milder discipline of the treadmill or the tramp ward.

In justice, however, to ourselves, it should be added that, in more recent times, we have given them an indefeasible title to relief, and offered them a permanent provision, provided they will consent to abandon their migratory propensities, and become the inmates of a union workhouse.

In spite, however, of our threats and our offers, the vagrant, more irrepressible than the compound householder, still triumphantly holds his ground, and indications are

not wanting to show that the public contemplate another onslaught for his extinction. A few days ago the Government were asked by a member of the House of Commons, whether they intended to bring forward any measure for the purpose of giving greater power to magistrates or Poor-law Guardians in dealing with those vagrants who are habitual tramps, so as to check the growing increase of vagrancy. Deputations from Boards of Guardians, as we learn from the public prints, have waited upon the President of the Poor Law Board, urging him to solve the same difficulty; and petitions have been presented to Parliament, inviting them to embark in another campaign, which, as far as I can see, promises as little fruit as the former efforts of the Legislature.

The schemes of repression, which are shadowed forth, appear to be little more than repetitions of measures which have hitherto been tried and have failed, either because of their severity or of their impracticability. A more rigid execution of the Vagrancy Laws is called for by some; but if the magistrates, in deference to the public sentiment, will not convict the mendicant, and if the police are still willing, when a tramp will not stop to "let him go, and thank God they are rid of a knave," I think we must look to something more effectual than the broken reed of the Vagrancy Laws to sustain us in our contest with the evil they were intended to suppress.

Another plan which has been suggested has for its object to discriminate between the deserving poor man travelling in search of work and the habitual and professional vagrant. This proposal contemplates that passes should be given by the union or parochial officers to persons desirous of seeking employment elsewhere, and that the production of one of these papers should entitle the bearer to relief in the casual wards of a workhouse; vagrants, however, not having such passes are to be placed entirely under the control of the police, who are to detain them until their statements are tested; and if their statements are untrue or unsatisfactory, they are to be sent to gaol as incorrigible rogues or vagabonds.

As this plan has found favour with the justices of a large and important county adjoining the Metropolis, it may be

worth while to examine it for a moment. And first, as to the adoption of passes, I have already shewn that licenses were granted in former times, and how ineffectual they were.

Twenty years ago the ticket system was extensively adopted, but it soon grew into desuetude : in other words, it failed. The alleged loss of a ticket, supported by the plausible misrepresentations in which a vagrant is so clever an adept, would be sufficient, if urged late at night, or in the rain and cold, to induce even a workhouse official to make an exception in the rule ; and if such tickets were of any value, there would not be wanting ingenious persons to forge them as cleverly as "Flint Jack" has imitated the implements of bygone times ; especially when it is borne in mind that a forged certificate is even now the basis of operation for vagrants of a certain class.

But what security would there be that the tickets would only be given to deserving persons ? If we may judge from the facility with which testimonials are now obtained by worthless persons from those who are high above the position of relieving officers or overseers, it is too much to hope that parochial authorities will refuse an application which may be made to them, especially if it comes from some drunken or troublesome fellow whom it is desirable should be got rid of from the neighbourhood.

The ticket, however, is not intended for the professional tramp. He is to be handed over to the police, by whom he is to be detained whilst inquiry is made as to his antecedents, and then to be imprisoned as an incorrigible rogue.

Is it likely, however, that the Legislature will ever sanction such an arbitrary power of detention as this ?

It is true that in Belgium beggars may be taken up and imprisoned in a "*Depot de la mendicité*," which is an establishment somewhat intermediate between an English workhouse and a house of correction, until the commune to which they belong undertake to find work or provide for them ; or, until they have earned enough by their own industry whilst in the establishment to start them again. But in Belgium there is no Poor Law such as ours ; and, although the authorities make no scruple to commit any person found begging to one of these establishments, beggars and vagrants are still found



in that country, and persons complain that the law is far from accomplishing the object which it has undertaken.

Let us suppose, however, that vagrants who can give no account of themselves, or who make false statements as to their antecedents, are committed wholesale to gaol. We have next to consider how they are to be dealt with when their term of imprisonment is over. Are we to give them passes, as if they were honest labourers in search of work; or are we to turn them adrift to continue their career of vagrancy, and when they reach the next police station to be sent to prison again?

The adoption of either alternative will not advance us a single step in the solution of our difficulty.

There are some who suppose that imprisonment will have a salutary effect and reclaim the offender from his evil ways; but experience shews that the gaol has no terrors for the vagrant; at least, no terrors which are capable of repressing his established propensities. On the contrary, it would seem that some of them seek to be committed. The anonymous vagrant who was examined as A. B. before a committee of the House of Commons in 1846, said that when he got tired of begging he used to recruit himself by getting committed to gaol. He liked the quiet of the house of correction. "You had a comfortable bed there," and he preferred going there at times to get a little rest. Moreover, it is evident that he was not singular in his tastes, for he said that he had heard the police magistrate offer parties of tramps, who were brought up before him, to go home before he committed them; but not one has gone: they have all consented to be committed to whatever punishment he liked to inflict upon them rather than go away and leave the place.

We are apt to suppose that the sensibilities of vagrants are as keen as our own, but we must bear in mind that the degradation of human nature is quite as unlimited as its perfectibility. A former Recorder of this city seemed to have a faint glimmering of this truth, when I heard him from the Judicial Bench caution a zealous policeman that he must not expect that every vagrant who came into the town would have an edition of "Lord Chesterfield's Advice to his Son" in his pocket.

Another circumstance in connection with imprisonment is that it diminishes still further the probability that a vagrant, even supposing him to have some disposition to work, would afterwards be able to find an employer; for no matter how short the confinement may be, it furnishes anything but an encouraging credential of trustworthiness and industry.

There are some persons who are always crying out for measures of extreme severity for the suppression of vagrancy, but they forget that every law must fail in its object if it is not commensurate with the nature of the offence, or in accordance with the received opinions of the time. The difficulties which exist in the suppression of vagrancy, and the reasons why even the existing law cannot be enforced are forcibly stated by one of the most able and experienced Poor Law Administrators of our time, who had made himself a complete master of the subject—I mean the late Sir Edmund Head.

He said,

“I cannot suggest any means to make the vagrant law more effective, by which it could be carried out beneficially. With regard to the law of vagrancy, if by that is meant the punishment of begging, it appears to me the difficulty is a moral one rather than a legal one. The law of vagrancy now is very severe as regards actual begging. A man, I apprehend, is punishable as a vagrant for begging; but you cannot punish him for applying for relief if he applies ten times running. If a man applies ten times running for relief at the door of a workhouse, you may know he is the idlest vagabond on the face of the earth, still the law of this country requires that that man, being destitute, should be relieved. You may take him before a magistrate, and when you have got him there, you can do nothing with him. The man is destitute and he requires relief. Now any law which is to repress or diminish vagrancy by increased severity must be in accordance, more or less, with public opinion, for one of the evils, it seems to me, in the present administration of the vagrant law, even in the mitigated shape in which it stands now, without any increased severity, is, that the magistrates are reluctant to carry out what they consider the harshness of its provisions.”

“Then you do not suggest any alteration, because you are afraid of increased severity?”

“I think increased severity in the letter of the law would be null and useless.”

I have spoken of the more violent measures of repression. Another mode, more moderate, has often been suggested, and sometimes put in force. I allude to the refusal of relief to all able-bodied persons in the apparent enjoyment of robust health.

Now, upon this point there is some misapprehension, which it is well that I should clear up. The law says that every poor person, whether sick or well, strong or weak, is entitled to relief, if he is destitute of food, raiment, or shelter. If he has means to provide these necessities he has no title to participate in the parochial or union funds, and it is important that a strict search should be instituted to ascertain whether the vagrant who claims a night's lodging is, or is not, destitute of resources. He may not need food, he may not need clothing, but if he is destitute of shelter and without the means of obtaining it, no workhouse master can properly refuse him admission into the vagrant ward; and no overseer or relieving officer, except at his own peril, can refuse him the means of procuring a lodging for the night.

Another measure of repression which has been proposed, whether seriously or not I am unable to say, is that at each union in the Metropolis where a vagrant is relieved his hair should be cut close in a small circular patch, and that by arrangement a particular spot should be appropriated to each union, after the manner of a phrenological chart, so that it may be known at once where he has been previously relieved. This proceeding seems to be a revival in a modified form of the cropping of the ear in vogue in former times; but there is one objection to it which scarcely applies to the mutilation of the ear, viz., that the vagrant who is bald or who has just escaped from prison would necessarily be exempt from the operation.

I pass from measures of repression to what I will term measures of regulation; and, by way of introduction to this part of the subject, I may state that I look upon vagrants as an intermediate class between the criminal and the industrious portion of the population. As semi-criminals, if you will, to be watched and kept as far as practicable under a certain kind of discipline and surveillance, but not to be imprisoned unless they commit offences against the person or against property or public order.

The arrangements existing in so many parts of the country, by which the police are constituted relieving officers of vagrants tend materially to the promotion of the object which

I have just indicated, but it must not be supposed to be a panacea against vagrancy.

When the system was first introduced in certain districts it had the effect of frightening the tramps into other neighbourhoods, and sanguine persons anticipated that, if it became general vagrancy would cease altogether; but the vagrants have now become accustomed to the police, and Lieutenant-General Cartwright, one of the Inspectors of Constabulary, in his last report just presented to the House of Commons, says:—"The great increase in the number of vagrants as reported by the police, who act as relieving officers for the casual poor, requires much attention, as it is clear that the dislike to police investigation by the experienced tramp is wearing out, and that some further test is required to separate the professional beggar from the destitute wayfarer."

General Cartwright then recommends that separate officers should be appointed to relieve vagrants, and he arrives at the conclusion that "the assistance of the police should in future be given generally in supervising the vagrant on his journey, and confining him to the main road when he has left the workhouse or refuge, with or without ticket of way."

I will not detain you by insisting upon the importance of other measures of regulation, such as that there should be a uniform system of treatment for the vagrants admitted into the vagrant wards of the several workhouses throughout the country, that they should be bathed on admission, be dieted in a similar manner, and that a task of work should be uniformly exacted from all able-bodied persons in return for relief.

But I must maintain that in all these arrangements there should be nothing to add to the degradation of the vagrant. The work should not be useless: the food, though of the plainest, should be wholesome: the bedding, as far as practicable, should be clean, and the wards should be suitable for human beings. At a recent inquiry, a magistrate who was examined before me appeared to think that anything was good enough for those who often sleep under bridges and hedges. I dissent from this view. In spite of his degradation, I believe a vagrant vastly above the condition of a beast, and I would treat him as a man.



That the advantages of uniformity of treatment may not be undervalued, I am tempted to refer again to the evidence of Sir Edmund Head, who says:—"The only means I can see of making the relief of the destitute in the streets more effective is to put the places in which they are relieved under better regulations; to make the work which is required more uniformly the same; to put them all on the same footing, instead of having a preference given to one place, as it often is now, because the rules are easier there than elsewhere."

I need scarcely say that night refuges and similar institutions, established by voluntary subscriptions, militate seriously against uniformity of treatment, whilst at the same time they are calculated, from defective discipline to afford a direct encouragement to vagrancy. When the anonymous vagrant, to whom I have before referred, was asked whether he considered the houses of refuge (such as then existed in London) a good thing for poor people or not, he said—"I think they tend to increase vagrancy to a frightful extent, considering there are many who, well knowing that they can get a lodging anywhere at night, will spend their money in drinking and all sorts of debauchery. They can get in anywhere after it is spent." Fortunately these institutions have now scarcely an existence beyond the Metropolis, and even there all excuse for them has ceased since the Metropolitan Houseless Poor Act has been brought into operation.

I well remember that a refuge once existed in this city for the reception of vagrants. It was supported partly by voluntary subscriptions and partly out of the rates. The applicants had a comfortable bed provided for them, with the somewhat sumptuous dietary of bread and cheese and beer, and it requires no stretch of imagination to understand what was the result. Salisbury became one of the great centres in the West of England for the resort of vagrants and mendicants, and just before the dusk of the evening they might be seen swarming and collecting in the several roads converging towards this city just as we now in the evenings of autumn and winter see the flights of starlings from this and adjoining counties coming to roost in the copse in the neighbouring parish of Odstock.

I look back with some satisfaction to a successful remonstrance which I addressed to the Poor Law Board against the application of any portion of the parochial funds to the support of this society, which, within two years afterwards, ceased to exist.

But even the Mendicity Society was a less remarkable institution than one which was projected in Salisbury in the early part of the 17th century in connection with the relief of the poor. Indeed, the project was so remarkable that I may be pardoned a slight digression for the purpose of referring to it; and, in order that I may not be suspected of exaggerating this little episode in our local history, I will quote the account which the late Mr. Hatcher has given of it:—"Among other expedients for the diminution or removal of pauperism which prevailed to a serious extent in this city, the plan for establishing a *public brewhouse* was fully matured. A question was started as to the expediency of obtaining for this establishment the sanction of Parliament, and the result is thus recorded :—

"January 16, 1625-6.—The voices that the brewhouse may be confirmed by Act of Parliament are forty-two, and the voices on the contrary part are ten. Therefore, it is now agreed and ordered that the new brewhouse in this city shall be confirmed by Act of Parliament, if it may be had and obtained."

"The plan for the establishment of a brewery was not carried into effect without considerable difficulty. The opposition arose from the public brewers, some of whom were members of the Corporation. On this head we find a series of accusations against Robert Joles, who abused his privileges as Mayor, to obstruct the undertaking.

"It is stated that he first paid a fine to avoid serving the office of Mayor for five years. Afterwards, on the proposal to establish a public brewhouse for the relief of the poor, he applied to be made Mayor. Objections being urged on account of his known hostility to this establishment, he said he wished all prosperity to that undertaking, and that God would so deal with his soul as he intended the good of the new brewhouse. He was then sworn Mayor, but, contrary to

his oaths and protestations, he presently declared himself an enemy thereto, and with many oaths and much fury declared he would overturn the same if he could. That being of a furious and fiery nature, he behaved so harshly at the Common Council, that the city meetings were much troubled and disturbed. That at the time of the Councils, in or after his mayoralty, he had used foul and uncivil language to the Aldermen and assistants, employing the word 'thou,' and calling Mr. Robert Barnes, at the assembly of justices, a fool! He was of so violent a carriage, that when he had called Councils, the Aldermen were afraid to go into the room to him singly, but walked without, till joined by some other of their fellow justices, fearing to be assaulted by him."

The conduct of this ignorant and violent man furnishes a most striking contrast to that of the gentleman who now presides with so much firmness, courtesy, and ability as the Chief Magistrate of this city.

I have now given an outline of the present proposals for the suppression of vagrancy, and I have probably left upon your minds the impression that they are either impracticable or delusive. It is not unreasonable, therefore, that you should ask whether the catalogue of special remedies is exhausted; and if not, what is wanting to render it complete. I admit the propriety of the question, and I answer it at once by frankly declaring the wanting remedy to be *Buttons*: yes, *Buttons*; and if you repeat the question, my answer must still be, *more buttons*.

The truth is that vagrancy is not a self-supporting institution. There is another party in the association far more culpable than the vagrant, and without whom the latter would soon cease to exist. That party is the benevolent British public, and until we can persuade them to buy and use more buttons for their pockets, the vagrant will thrive and flourish as he has hitherto been accustomed to do.

There is a certain resemblance between vagrancy and bribery. If there were no persons ready and willing to pander to the corrupt desires of electors, the offence of bribery would soon cease to disgrace our constituencies. In like manner, if there were no persons to lend themselves as victims

to the arts and tales of the street mendicant, he would of necessity be forced to abandon his occupation.

There is an anecdote told in "A Remonstrance humbly presented to the High and Honourable Court of Parliament, by Leonard Lee, gentleman, in 1644," which forcibly illustrates what I have just stated:—"A beggar came to some gentlemen in Bruges with show of weeping, and pretending himself a miserable creature troubled with a terrible secret disease. They pitied him, and gave him money; but one of them, seeing the beggar fat and well coloured, caused his servant to make after him and know his malady. To whom the beggar replied, 'My disease is spread all over my body, ransacks my very bones, so that I can stir never a limb to do any work, and I have heard that this disease is laziness, which is a shameful thing to discover.'"

As a counterpart to this story, I will relate a circumstance which happened in modern times in this immediate neighbourhood. A vagrant went to a barn where some men were threshing. "Holloa!" said he, "What do you get a day for beating them there boards?" and when one of them answered, "Eighteenpence," he immediately exclaimed, "What, only eighteenpence; why, what fools you must be to work hard all day for that, when I can make at least 3s. 6d. a day by cadging."

This occurred in a country place; but in large towns mendicants realize very much larger profits; and this is not to be wondered at if there are many who follow the example of a gentleman, of whom I heard the other day, who never goes out in the morning without filling his pockets with threepenny and fourpenny pieces, to distribute amongst the beggars who hover about him on all sides in the streets, just as we have seen the sparrows in the gardens of the Tuilleries flutter around their eccentric but well known benefactor, who carries them daily their accustomed supply of bread.

I remember reading, a short time ago, in one of our periodicals, a graphic account (seasoned up to the sensational mark) of the manner in which the master of a workhouse boasted of the way in which he had succeeded in deterring vagrants from his establishment. "At first," he is made to



say, "we used to give them something to eat, but we found that did not answer. We then stopped the food, and the consequence is that now a vagrant never applies."

I hope, for the credit of our Poor Laws, that this anecdote, like many other statements which have recently been published, is simply a fiction. But what I would impress upon you is that what would be a dereliction of duty on the part of a workhouse official is neither more nor less than a duty on the part of the public. If they will only discontinue the practice of thoughtless and indiscriminate relief, and leave the constituted authorities to deal with the vagrant class, their numbers would soon be diminished, and those who were left would be brought under the ordinary operation of the law. Depend upon it, the real encouragement of vagrancy does not consist in the legal relief which is administered in tramp wards at night, but in the voluntary charity which is bestowed in the streets by rich and silly persons during the day.

A great authority in matters connected with the relief of the poor was the late Archbishop Whately, and there is a passage in his life, lately published by his daughter, which is so apposite to this subject that I cannot avoid quoting it:—"Soon after his arrival in Dublin, we were walking on the Donnybrook-road, when a sturdy fellow followed him persistently, and would take no denial. He whined and beclaudered, was pathetic, was humorous, but all to no purpose. At length, as if he had given up the attempt to get anything, he dropped a little behind, and said in an undertone, taking care, however, that it should be audible, 'What a handsome pair of legs he has.' On went the Archbishop; the man gave him up as impracticable. He used to boast that he had never in his life given to a beggar in the street or highway—a boast that was the more allowable, as it is well known that his purse was ever open for relieving distress, and that 'to do good and to distribute' was one prominent trait in his character."

You see, therefore, that the course which I recommend is not inconsistent with the exercise of the most liberal and extensive charity. On the contrary, I am only endeavouring to divert the benevolence of the English public, which is lavish

beyond example, into channels in which it will be productive, not of mischief, but of good. There are, close to our own doors, hundreds of the struggling and deserving poor who would almost rather starve than beg or render themselves paupers. An enlightened benevolence would prompt us to find out and minister to the wants and the independent feelings of those meritorious persons, instead of distributing amongst worthless and demoralized vagrants the superfluous means at our disposal.

In bestowing our alms on the vagrant we rob the deserving poor of the assistance which they ought to receive, and I confess that if such a step were practicable, I would revert to the policy of the Statute of Labourers, and punish the giver with even more severity than we now reserve for the beggar.

I will now sum up my conclusions upon this question of vagrancy by stating, in the first place, that I have no faith in the efficacy of any legislation which enjoins severe punishment for its repression. I believe that the most that can be done by those who have the administration of the law is to place the vagrant class under that constant supervision which our improved system of police enables us to command; to take care, as far as practicable, that no relief is afforded to those who are not actually destitute; and to provide that in the administration of relief a uniform system shall be everywhere pursued; and I cannot too emphatically enforce my conviction that as long as the public persist in bestowing alms upon "valiant beggars and sturdy vagabonds," every attempt on the part of those who make or administer the laws for the suppression of vagrancy and mendicancy will most assuredly prove unavailing.

The fallacy which has misled those who have hitherto attempted to grapple with this subject consists in this—that they have considered vagrancy as a disease, whereas in point of fact it is not in itself a disease, but a symptom of something wrong, either in the character of the individual, the condition of society, or the institutions of the State.

When vagrancy is simply the act of the individual, it indicates the perversion or misdirection of a noble faculty or instinct; or, as is most frequently the case, a taste for low and

debased pursuits, engendered by folly or by crime. When it results from the disposition of the individual, fostered by the habits of other classes of society, it is a clear proof that some important duty has been either neglected or violated by them. And when it is still further aggravated by the action of our institutions, it shows the imperfection of our laws and the necessity for their alteration or amendment.

It is obvious, therefore, that the true remedies for the evil lie far below the surface upon which we have hitherto been contented to gaze; and yet the remedies are not altogether hopeless or unattainable. Every vice is but the perversion of some virtue: and the leading or predominant characteristic of an individual mind, such as an indomitable propensity for travel or change, may be directed, although it cannot be suppressed. A criminal and degraded career may be prevented by early education and Christian training. Society may be brought to a sense of its duties by the influence of enlightened public opinion, or by a conviction of the evils produced by its follies and neglect; and social disturbances may be averted by wise and timely legislation.

I am not so utopian as to suppose that vagrancy will ever entirely cease out of the land; but at the same time I feel that there are social powers at work which are daily attacking its strongholds and undermining some of its foundations. We have seen that not many centuries ago vagrants and mendicants were so numerous, so bold, and so daring as to threaten society itself. Later on, in 1660, when our population was little more than 5,000,000, the number of vagrants was not less than 30,000. In 1866, when our population exceeded 20,000,000, the number of vagrants, as counted by the police on the 29th of September in that year, was 33,191, whereas, if the increase had kept pace with the population, it would have shown the large total of 120,000. To what, then, is this striking improvement to be attributed? I answer—To the ameliorating influences of modern civilization and all its attendant advantages.

The same influences are still in progress, and when I add to them the deeper interest which is now taken in everything that relates to the improvement of the working classes, and

especially to the unmistakeable determination of the nation that henceforth the poorest outcast child shall have the blessings of a good education, I think I may venture to predict that the time will come when the vagrant class will become an almost inappreciable section of the community.









